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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CARLOS H. PEREZ,

Plaintiff

GMAC MORTGAGE USA CORPORATION, A/K/A GMAC MORTGAGE, LLC, a Delaware corporation; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation; EXECUTIVE TRUSTEE SERVICES, LLC, a Delaware limited liability company; GREENPOINT MORTGAGE FUNDING, INC., a New York corporation; ANDRUS & ASSOCIATES, INC., a California corporation; PAUL RAY ANDRUS, individually and in his official capacity; HOMECOMINGS FINANCIAL, LLC, a Delaware limited liability company; COUNTRYWIDE HOME LOANS, INC., a New York corporation; SOUTH PACIFIC FINANCIAL CORPORATION, a California corporation; RESIDENTIAL MORTGAGE CAPITAL, D/B/A FIRST SECURITY LOAN; a California corporation; JAMES JOHN CHAPMAN, individually and in his official capacity; LUIS G. BARRIOS, individually and in his official capacity; ELIZABETH P. CAMPOS, individually and in her official

Case No. C08-01972-JW-HRL

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
[PROPOSED] ORDER**

1 capacity; and DOES 1 through 20,
2 inclusive,

3 Defendants.

4 WHEREAS, the Court has set an Initial Case Management Conference in this case for August
5 25, 2008, at 10:00 a.m.;

6 WHEREAS, not all of Defendants have yet been served, in fact, two Defendants are currently
7 actively avoiding service;

8 WHEREAS, Defendant, GREENPOINT MORTGAGE FUNDING, INC., has filed a Motion to
9 Dismiss which is set for hearing on October 6, 2008, at 9:00 a.m.;

10 WHEREAS, Defendants, GMAC MORTGAGE USA CORPORATION, HOMECOMINGS
11 FINANCIAL, LLC, and EXECUTIVE TRUSTEE SERVICES, LLC, have filed a Partial Motion to
12 Dismiss which is set for hearing on October 6, 2008, at 9:00 a.m.; and

13 WHEREAS, because the case is not at issue and numerous Defendants have not yet answered, it
14 is currently not practical for the parties to complete their initial meet and confer to discuss discovery
15 plans and settlement options.

16 In light of the foregoing, the undersigned parties, through their counsel, hereby request that the
17 Court continue the Initial Case Management Conference currently set for August 25, 2008, at 10:00
18 a.m. to December 8, 2008 at 10:00 a.m. or to a convenient date thereafter.

19 IT IS SO STIPULATED.

20 Dated: July 25, 2008

21 CONSUMER LAW CENTER, INC.

22 By: /s/ Fred W. Schwinn

23 Fred W. Schwinn, Esq.
24 Attorney for Plaintiff
25 Carlos H. Perez

1 Dated: July 25, 2008

LOCKE LORD BISSELL & LIDDELL, LLP

2
3 By: /s/ James Matthew Goodin

James Matthew Goodin, Esq.
4 Attorneys for Defendants
5 GMAC Mortgage USA Corp.; Executive
6 Trustee Service, LLC; and Homecomings
Financial LLC

7 Dated: July 25, 2008

8 WRIGHT FINLAY & ZAK, LLP

9 By: /s/ Robin P. Wright

10 Robin P. Wright, Esq.
11 Attorneys for Defendant
12 South Pacific Financial Corporation

13 Dated: July 25, 2008

14 BRYAN CAVE, LLP

15 By: /s/ James Goldberg

16 James Goldberg, Esq.
17 Attorneys for Defendant
Countrywide Home Loans, Inc.

18 Dated: July 25, 2008

19 RAGGHIANTI FREITAS, LLP

20 By: /s/ Patrick M. Macias

21 Patrick M. Macias, Esq.
22 Attorneys for Defendants
23 Residential Mortgage Capital and James
John Chapman

24 Dated: July 25, 2008

25 SEVERSON & WERSON, APC

26 By: /s/ Sunny S. Huo

27 Sunny S. Huo, Esq.
28 Attorneys for Defendant
GreenPoint Mortgage Funding, Inc.

ORDER

GOOD CAUSE APPEARING, the Initial Case Management Conference in this matter is continued to _____, 2008, at _____ a.m.

Dated: _____

The Honorable James Ware
United States District Judge